



# CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Central City Revitalization Assessment District - Resolution of Preliminary Approval of Engineer's Report and Resolution Setting Time and Place of Public Meeting and Public Hearing

**MEETING DATE:** February 21, 1996

**PREPARED BY:** Public Works Director

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**RECOMMENDED ACTION:** That the City Council adopt the attached two resolutions on the Central City Revitalization Assessment District

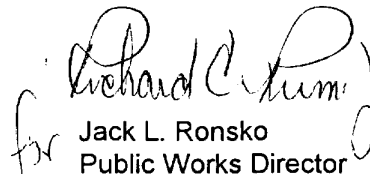
**BACKGROUND INFORMATION:** The kingpin of the Central City Revitalization Program is the partnership between property owners, businesses and the City, through which Lodi's Central City will become a place of civic pride and economic strength.

This partnership will be formalized in a large part by the establishment of the Central City Revitalization Assessment District in which the property owners will participate in the cost of the physical improvements approved in the concept plan last year.

The attached resolutions, prepared by the District Bond Counsel, Timothy Hachman, set in motion the final legal proceedings to establish the District. The schedule of these proceedings and related activities informing property owners of the program is attached.

The Engineer's Report and the Notice of Assessment will be provided to the Council under separate cover.

**FUNDING:** None at this time.

  
for Jack L. Ronsko  
Public Works Director

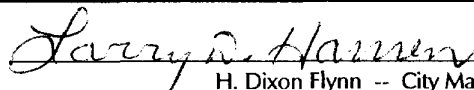
Prepared by Richard C. Prima, Jr., City Engineer

JLR/RCP/lm

Attachments

cc: Freedman Tung & Bottomley  
Kjeldsen, Sinnock & Neudeck  
Timothy Hachman

APPROVED:



H. Dixon Flynn -- City Manager

## Central City Revitalization Assessment District

### Timeline

Event	Date	Comments
Mail introductory newsletter to property owners	Dec 29, 95	
Council Shirtsleeve meeting to review incentive program and describe assessment calculations	Jan 9, 96	
Revitalization brochure and 3 newsletters	Jan. 23, Jan. 30, Feb. 8 and Feb. 15	
Council Meeting to Accept Engineer's Report and Set Public Meeting & Hearing Dates	Feb 21, 96	
Mail Notice of Proposed Assessment and Public Meeting & Hearing Dates	Feb 22, 96	
Central City Revitalization Task Force "Telethon" to contact property owners	Feb. 27, 28 & 29	
Informal Meeting/Workshop with Property Owners	Mar 4, 96	7:00 at Library Community room, with Michael Freedman
Public Meeting	Mar 6, 96	In front of Council (at least 10 days after mailing); with Michael Freedman
Public Hearing; Council Decision on Assessment District	Apr 10, 96	In front of Council (at least 45 days after mailing and 7 days after public meeting)

RESOLUTION NO. 96- 15

BEFORE THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA

A RESOLUTION OF PRELIMINARY APPROVAL OF  
ENGINEER'S REPORT

LODI CENTRAL CITY REVITALIZATION ASSESSMENT DISTRICT NO. 95-1

RESOLVED, by the City Council of the City of Lodi, California, that

1. Pursuant to the directions contained in the Resolution of Intention to Acquire and/or Construct Improvements in the above assessment district and to Refund Prior Bonds Issued adopted by this Council, the Engineer of Work has made and filed with the City Clerk a report in writing in accordance with Sections 2961 and 10204 of the California Streets and Highways Code, which report has been presented to this Council for consideration.

2. This Council has duly considered the report and each and every part thereof, and finds that each and every part of the report is sufficient, and that neither the report, nor any part thereof, requires or should be modified in any respect;

NOW, THEREFORE, IT IS ORDERED as follows:

1. The plans and specifications for the proposed improvements, contained in the report, be, and they are hereby, preliminarily approved and confirmed.

2. The Engineer's estimate of the itemized and total costs and expenses of the improvements and of the incidental expenses in connection therewith, contained in the report, be, and each of them are hereby, preliminarily approved and confirmed.

3. The diagram showing the assessment district referred to and described in the Resolution of Intention and also the boundaries and dimensions of the respective subdivisions of land within the assessment district as the same existed at the time of the passage of the Resolution of Intention, each of which subdivisions has been given a separate number upon the diagram, as contained in the report, be, and it is hereby, preliminarily approved and confirmed.

4. The proposed assessments upon the several subdivisions of land in the assessment district in proportion to the estimated benefits to be received by such subdivisions, respectively, from the improvements and of the incidental expenses thereof, as contained in the report, be, and they are hereby, preliminarily approved and confirmed.

5. The maps and descriptions of the improvements to be made, as contained in the report, be, and the same are hereby, preliminarily approved.

6. The report shall stand as the Engineer's report for the purpose of all subsequent proceedings had pursuant to the Resolution of Intention.

DATED: February 21, 1996

I, JENNIFER M. PERRIN, City Clerk of the City of Lodi, do hereby certify that Resolution No. 96- 15 was passed and adopted at a regular meeting of the City Council of the City of Lodi, held February 21, 1996, by the following vote:

AYES: Councilmembers - Mann, Pennino, Sieglock and Warner (Mayor)

NOES: Councilmembers - Davenport

ABSENT: Councilmembers - None

ABSTENTIONS: Councilmembers - None

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JENNIFER M. PERRIN, City Clerk

RESOLUTION NO. 96- 16

BEFORE THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA

A RESOLUTION APPOINTING TIME AND PLACE OF PUBLIC MEETING  
AND PUBLIC HEARING IN RELATION TO PROPOSED IMPROVEMENTS  
AND ASSESSMENTS, AND DIRECTING NOTICE

LODI CENTRAL CITY REVITALIZATION ASSESSMENT DISTRICT NO. 95-1

RESOLVED, by the City Council of the City of Lodi, California, that

Pursuant to the provisions of The Municipal Improvement Act of 1913 (Division 12 of the Streets & Highways Code) (the "Act"), this Council adopted on September 20, 1995 its Resolution No. 95-123, a Resolution of Intention to Acquire and/or Construct Improvements in the above assessment district and to Refund Prior Bonds Issued, and the Engineer of Work appointed by the Council has filed with the City Clerk the written report called for under the Act and the Resolution of Intention, which report has been preliminarily approved and confirmed by this Council.

NOW, THEREFORE, IT IS ORDERED as follows:

1. Wednesday, March 6, 1996, at the hour of 7:00 P.M. in the regular meeting place of the Council, Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, be, and the same are hereby appointed and fixed as the time and place of the Public Meeting when and where the Council will hear all public testimony regarding the improvements and the assessment; provided that the Council may change such time to a later time as it shall determine.

2. Wednesday, April 10, 1996, at the hour of 7:00 P.M. in the regular meeting place of the Council, Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, be, and the same are hereby appointed and fixed as the time and place when and where the Council will consider and finally determine whether the public interest and convenience require the proposed improvements and when and where it will consider and finally act upon the Engineer's report, the Resolution of Intention and the assessment; provided that the Council may change such time to a later time as it shall determine.

3. The City Clerk be, and she is hereby directed to mail or cause to be mailed, postage prepaid, at least forty-five (45) days before the public hearing date, to all persons owning real property proposed to be assessed whose names and addresses appear on the last equalized county assessment roll for City taxes, or the State Board of Equalization assessment roll, as the case may be, or who are known to the City Clerk, a joint notice of the public meeting and the public hearing, which notice shall contain:

(a) The estimated amount of the assessment per parcel; (b) A general description of the improvements that the proposed assessment will fund; (c) The address to which property owners may mail a protest against the extent of the district, the improvements, or the assessment; (d) The Department of Public Works, 221 West Pine Street, Lodi, California 95241, Richard Prima, Telephone (209) 333-6706, are the local department and person designated by this Council that interested persons may contact to receive additional information about the assessment and protest proceedings; (e) A statement that a majority protest shall cause the proposed assessment to be abandoned for a period of one year unless overruled by a four-fifths vote of the Council; and (f) The dates, times, and locations of the public meeting and public protest hearing fixed by this resolution.

4. The City Clerk shall endorse on each protest the date of its receipt, and at the time appointed for the hearing, the City Clerk shall present to the City Council all protests filed with her.

DATED: February 21, 1996

I, JENNIFER M. PERRIN, City Clerk of the City of Lodi, do hereby certify that Resolution No. 96- 16 was passed and adopted at a regular meeting of the City Council of the City of Lodi, held February 21, 1996, by the following vote:

AYES: Councilmembers - Mann, Pennino, Sieglock and Warner (Mayor)

NOES: Councilmembers - Davenport

ABSENT: Councilmembers - None

ABSTENTIONS: Councilmembers - None

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JENNIFER M. PERRIN, City Clerk

Lodi City Clerk  
P. O. Box 3006  
Lodi, CA 95241-1910

**NOTICE OF PUBLIC MEETING AND HEARING  
ON PROPOSED NEW ASSESSMENTS  
Lodi Central City Revitalization .  
Assessment District No. 95-1**

The City Council of the City of Lodi proposes to form the above Assessment District, that includes your property, to fund the improvements proposed to be constructed for the revitalization of the Downtown Business Area and Civic Center, the improvement of the Cherokee Lane Business Area of the City, and the retirement of the balance of the bonds issued in 1984. Before taking final action on this proposal, the City Council will hold a **PUBLIC MEETING** and a **PUBLIC HEARING** at the **CARNEGIE FORUM, 305 WEST PINE ST., LODI, CALIFORNIA**, as follows:

**PUBLIC MEETING:**                      **WEDNESDAY, MARCH 6, 1996, at 7:00 P.M.**

**PUBLIC HEARING:**                      **WEDNESDAY, APRIL 10, 1996, at 7:00 P.M.**

At the **Public Meeting** the Council will hear all public testimony regarding the proposed new assessment. At the **Public Hearing** the Council will hear all testimony and/or protests in relation to its proposal, and will consider and determine: (a) whether the public interest and convenience require the improvements and assessments, (b) final action upon the Engineer's report and the assessment, and (c) whether the owners of a majority of the area of the property in the assessment district have protested against the proposed improvements, the extent of the assessment district, or to the proposed assessment.

Any interested person may object to the proposed improvements, the extent of the assessment district, or to the proposed assessment by filing a **written protest** with the City Clerk. The protest must be signed by the property owner, show a description of the property (the above Parcel Number is sufficient) and evidence of ownership if not on the last equalized assessment roll. **Such protests must be received by the City Clerk at or before the above time of the PUBLIC HEARING on Wednesday, April 10, 1996, at 7:00 P.M.**

The Department of Public Works, 221 West Pine Street, Lodi, California 95241, Richard Prima, Telephone (209) 333-6706, are the local department and person designated by the City Council to answer inquiries regarding the assessment and protest proceedings.

The total estimated cost of the proposed improvements and the retirement of the Prior Bonds, with the incidental expenses related to both, is the sum of \$6,265,518, of which the City of Lodi is contributing the estimated sum of \$3,139,487, leaving an estimated balance of \$3,126,031 to be assessed to the property owners and charged according to benefit to each parcel of property, including your property; the proposed assessment against your property is shown above opposite your name and address. Following the date of the Public Hearing a 30 day period will be allowed for full or partial payment of assessments in cash at the option of the property owner. All unpaid assessments will be financed by the issuance of bonds in the proceedings, with proper portions of each assessment posted in installments to the general property tax bills to pay off the bonds,

and an additional maximum 2% of the installment to pay costs incurred by the City and not otherwise reimbursed which result from the administration and collection of assessments or from the administration or registration of the bonds and bond reserve or other related funds.

The total principal amount of unpaid assessments already levied against all property proposed to be assessed is the sum of \$125,000. The City proposes to call the outstanding bonds in that amount and to include the cost in this proceeding. The assessments for the cost of retiring these bonds will be charged on a prorata basis and assessed only to those parcels having unpaid assessments for the Prior Bonds.

A protest made by the owners of more than one-half of the area of the land to be assessed for the improvements will cause the proceedings and assessment to be abandoned for a period of one year from the date of the decision of the Council on the hearing, unless the protests are overruled by an affirmative vote of four-fifths of the members of the Council.

The proposed improvements are generally described as follows:

**Project "A" Downtown Area** - The installation of new sidewalks and curb returns (bow cuts), street lighting, street trees, information kiosks, gateway structure and various pedestrian amenities, together with related electrical and irrigation facilities, along School Street from Lodi Avenue to Locust Street and on Pine and Oak Streets from Church Street to Sacramento Street.


**Project "B" Cherokee Lane Area** - The installation of a new street lighting system with new poles and fixtures at appropriate intervals, each side of the street, and a landscaped median with openings at appropriate locations, together with related electrical and irrigation facilities, along Cherokee Lane from Pioneer Drive to Century Boulevard.

The improvements shall also include the acquisition of all lands and easements necessary for such installation and the doing of any and all work auxiliary to any of the above and necessary to complete the same.

Reference is hereby made to the Engineer's Report, including preliminary plans and specifications, and to Resolution No. 95-123 adopted by the City Council on September 20, 1995, all on file in the office of the City Clerk, for a more particular description of the improvements and assessments, and for further particulars.

All proceedings before the City Council are conducted in English. The City of Lodi does not furnish interpreters and, if one is needed, it shall be the responsibility of the person needing one.

DATED: February 21, 1996.

  
JENNIFER M. PERRIN, City Clerk  
CITY OF LODI  
P. O. BOX 3006, LODI, CA 95241



Recd.  
4/10/96  
7:55 p.m.  
jmt

DECLARATION OF MAILING  
NOTICE OF PUBLIC MEETING AND PUBLIC HEARING  
ON PROPOSED NEW ASSESSMENT

**LODI CENTRAL CITY REVITALIZATION ASSESSMENT DISTRICT NO. 95-1**

I, the undersigned, declare and say:

I am a citizen of the United States and over the age of eighteen (18) years, my business address is 1113 West Fremont Street, Stockton, California;

For and on behalf of the City Clerk of the City of Lodi, California, and on February 23, 1996, I mailed notice of the adoption of Resolution No. 95-123, adopted on September 20, 1995 by the Lodi City Council, and of the filing of the Engineer's Report referred to therein, postage prepaid, to all persons owning real property proposed to be assessed under the Resolution, according to their names and addresses as appear on the last equalized assessment roll for city taxes, or as known to the City Clerk, in form a copy of which Notice is hereto attached and marked Exhibit A.

The notice contained a statement of the time, place and purpose of the public meeting and public hearing on the Resolution and Engineer's Report, a statement of the estimated cost of the proposed improvements, and the amount as shown by the Engineer's Report to be assessed against the particular parcel or parcels covered by the notice, together with a statement that any person interested may file a protest in writing as provided in the California Streets and Highways Code and the name of the local department or agency designated by the Council to answer inquiries regarding the protest proceedings.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 10, 1996, at Lodi, California.

  
MICHAEL CONRAD

Lodi City Clerk  
P. O. Box 3006  
Lodi, CA 95241-1910

**NOTICE OF PUBLIC MEETING AND HEARING  
ON PROPOSED NEW ASSESSMENTS  
Lodi Central City Revitalization  
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DECLARATION OF MAILING  
NOTICE OF PUBLIC MEETING AND PUBLIC HEARING  
ON PROPOSED NEW ASSESSMENT

**LODI CENTRAL CITY REVITALIZATION ASSESSMENT DISTRICT NO. 95-1**

I, the undersigned, declare and say:

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The notice contained a statement of the time, place and purpose of the public meeting and public hearing on the Resolution and Engineer's Report, a statement of the estimated cost of the proposed improvements, and the amount as shown by the Engineer's Report to be assessed against the particular parcel or parcels covered by the notice, together with a statement that any person interested may file a protest in writing as provided in the California Streets and Highways Code and the name of the local department or agency designated by the Council to answer inquiries regarding the protest proceedings.

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Executed on April 10, 1996, at Lodi, California.

  
MICHAEL CONRAD

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NOTICE OF PUBLIC MEETING AND PUBLIC HEARING  
ON PROPOSED NEW ASSESSMENT

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 10, 1996, at Lodi, California.

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MICHAEL CONRAD

## **ASSESSMENT DISTRICT BENEFITS**

The focus of the Lodi Central City Revitalization Program strategy is to preserve and improve the condition, the appearance, and the commercial viability of the Lodi Central City's two primary business districts. The City and its consultants have developed a comprehensive revitalization package that includes incentive programs, marketing strategies, physical improvements, etc.. The physical improvements which are proposed to be constructed in the Downtown Zone and the Cherokee Lane Zone, and which are proposed to be funded in part by the Lodi Central City Revitalization Assessment District, are but one component of this comprehensive revitalization strategy.

Reference is made to the document entitled "City of Lodi, Central City Revitalization Program, Concept Development Phase" prepared for the City of Lodi by the urban design and planning firm of Freedman, Tung & Bottomley (FTB) in which the goals and objectives of the program, and how they were developed, are discussed in detail. The ultimate goal and objective of the Central City Revitalization Program is summarized best on page 4 of the FTB report as follows, "...the overall Central City Revitalization Strategy is: 'Invest Appropriately in Each District to Create Benefits in Adjacent District's.' "

### **Downtown Zone (Zone A) Benefits**

Those parcels located in the Downtown Core Area (Zone A-1) are expected to directly benefit from the physical improvements which will be constructed along the immediate frontage of those parcels in the Downtown Core Area, and from the comprehensive incentive program and business development strategies being formulated by the City of Lodi in support of the goals and objectives of the Lodi Central City Revitalization Program. Those specific benefits anticipated to accrue directly to the Downtown Core Area parcels will include, but will not be limited to:

1. Increased consumer traffic, both vehicular and pedestrian, which will translate into increased revenue generating opportunities.
2. Increased property values resulting from the physical improvements to be constructed, and from the improved economic environment of the Downtown Core area and of the Lodi Central City area, in general.
3. Access to, and eligibility for incentive programs being developed by the City of Lodi as a separate component of this comprehensive program, with the specific purpose of encouraging reinvestment in the Lodi Central City business districts.

Those parcels located in the Downtown Remainder Area (Zone A-2) are expected to both directly and indirectly benefit from the physical improvements which will be constructed in the Downtown Core Area, and from the incentive program and business development strategies being formulated by the City of Lodi in support of the goals and objectives of the Lodi Central City Revitalization Program. Those specific benefits anticipated to accrue both directly and indirectly to the Downtown Remainder parcels will include, but will not be limited to:

1. Increased consumer vehicular traffic to the Lodi Central City area, which will translate into increased exposure to consumers and a corresponding increase in revenue generating opportunities.
2. Increased property values resulting from the improved economic and physical environment of the Lodi Central City area, in general.
3. Eligibility for incentive programs being developed by the City of Lodi as a separate component of this comprehensive program.

#### **Cherokee Lane Zone (Zone B) Benefits**

Those parcels located in the Cherokee Lane Zone (Zone B) are expected to directly benefit from the physical improvements which will be constructed along the immediate frontage of those parcels along Cherokee Lane, and from

the business development strategies being formulated by the City of Lodi in support of the goals and objectives of the Lodi Central City Revitalization Program. The specific benefits anticipated to accrue directly to the Cherokee Lane Zone parcels will include, but will not be limited to:

1. Increased property values resulting from physical improvements to be constructed along Cherokee Lane, and from the improved economic environment of the Lodi Central City area, in general.
2. Increased consumer vehicular traffic to the Lodi Central City area, which will translate into increased exposure to consumers and a corresponding increase in revenue generating opportunities.

FEB-15-1996 09:37

Jennifer

**KJELDSSEN, SINNOCK & NEUDECK, INC.**

CONSULTING CIVIL ENGINEERS &amp; LAND SURVEYORS

KENNETH L. KJELDSSEN  
STEPHEN K. SINNOCK  
CHRISTOPHER H. NEUDECK1113 WEST FREMONT STREET  
POST OFFICE BOX 844  
STOCKTON, CALIFORNIA 95201-0844TELEPHONE 946-0266  
FAX NO. 946-0296  
AREA CODE 209**FAX TRANSMITTAL COVER**

February 15, 1996

To: City of Lodi  
Attention: Mr. Richard C. Prima

Fax Number: (209) 333-6842

Re: Lodi Central City Revitalization Assessment District No. 95-1

Sender: Stephen K. Sinnock

We are faxing you the following items:

1	Revised Page 2 of Engineer's Report

Rich,

Attached please find a revised Page 2 for the Engineer's Report that was hand delivered to your office yesterday. The City of Lodi cash contribution in the cost summary has been reduced by \$2, to a total of \$3,139,487. This was necessary get the Total Estimated Cost and Expense to be Assessed to the \$3,126,031.00, in order to be consistent with the Exhibit A Cost Estimate attached to the report, and the assessment spreads attached as Exhibit B. I will bring clean copies of the revised Page 2 with me to the 2:00 pm meeting this afternoon. Until then, please make sure those receiving a copy of the report are aware of the revision. Thanks.

Attene

cc: Tim Hachman, Bond Counsel (209) 546-0164 fax  
Manan Freeman (209) 466-8633 fax  
John C. Fitzgerald, Underwriter (213) 688-1559 fax  
Jennifer M. Perrin, City Clerk (209) 333-6807

☒ An original will also be sent via: ☒ U.S. Mail ☐ Fed Ex ☐ Other  
☐ This is the only copy you will receive.

This FAX consists of 2 page(s) including this cover page.

Please contact the Sender at (209) 946-0266 if there are any problems in receiving this FAX.



Cost of Construction of Revitalization Improvements	\$ 4,080,000.00
Design/Construction Contingencies	720,000.00
Construction Incidental Expenses	879,168.00
Assessment Incidental Expenses	449,850.00
Unpaid Assessments from AD 84-1	
Outstanding Principal Balance	125,000.00
Estimated Interest & Prepayment Premium	12,500.00
<b>TOTAL ESTIMATED PROJECT COST</b>	<b>\$ 6,266,518.00</b>
<b>LESS CASH CONTRIBUTED BY CITY OF LODI TOWARDS DISTRICT/IMPROVEMENT COSTS</b>	<b>(3,139,487.00)</b>
<b>LESS CONSTRUCTION FUND INTEREST EARNINGS</b>	<b>(1,000.00)</b>
<b>TOTAL ESTIMATED COST AND EXPENSE TO BE ASSESSED</b>	<b>\$ 3,126,031.00</b>

A detailed "Estimate of the Cost and Expense of Improvement" is attached hereto as Exhibit A and hereby made a part of this report.

And I do hereby assess and apportion said total amount of the cost and expense of said work and improvements upon the lots, pieces, parcels, or portions of lots or subdivisions of land liable therefor and benefited thereby, and hereinafter numbered to correspond with the numbers hereinafter designated as "Assessment Parcel Numbers" as shown upon the attached Assessment Diagram, upon each, severally and respectively, in accordance with the benefits,

**KJELDSSEN, SINNOCK & NEUDECK, INC.**

CONSULTING CIVIL ENGINEERS

KENNETH L. KJELDSSEN  
STEPHEN K. SINNOCK  
CHRISTOPHER H. NEUDECK

1113 WEST FREMONT STREET  
POST OFFICE BOX 844  
STOCKTON, CALIFORNIA 95201-0844

TELEPHONE 946-0268  
FAX NO. 946-0296  
AREA CODE 209

1390-001.0

February 14, 1996

Ms. Jennifer M. Perrin  
City Clerk  
City of Lodi  
221 W. Pine Street  
Lodi, California 95241-1910

**Re: Lodi Central City Revitalization Assessment District No. 95-1  
Engineers Report and Assessment**

Dear Ms. Perrin:

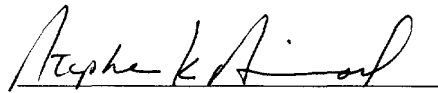
Attached please find one (1) copy of the Engineers Report and Assessment for the Lodi Central City Revitalization Assessment District No. 95-1 to be filed this date at your office. I have also enclosed one (1) full size set of the Assessment Diagrams.

We are also transmitting under separate cover, additional copies of the Engineer's Report and Assessment Diagram to Richard Prima for his use and distribution.

If you should have any questions regarding the attached, please call me.

Sincerely,

Kjeldsen, Sinnock & Neudeck, Inc.



Stephen K. Sinnock

SKS/ls

Encl.

cc: Richard C. Prima, Jr.  
Timothy J. Hachman  
Marian R. Freeman  
John C. Fitzgerald

RESOLUTION NO. 96- 15

BEFORE THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA

A RESOLUTION OF PRELIMINARY APPROVAL OF  
ENGINEER'S REPORT

LODI CENTRAL CITY REVITALIZATION ASSESSMENT DISTRICT NO. 95-1

RESOLVED, by the City Council of the City of Lodi, California, that

1. Pursuant to the directions contained in the Resolution of Intention to Acquire and/or Construct Improvements in the above assessment district and to Refund Prior Bonds Issued adopted by this Council, the Engineer of Work has made and filed with the City Clerk a report in writing in accordance with Sections 2961 and 10204 of the California Streets and Highways Code, which report has been presented to this Council for consideration.

2. This Council has duly considered the report and each and every part thereof, and finds that each and every part of the report is sufficient, and that neither the report, nor any part thereof, requires or should be modified in any respect;

NOW, THEREFORE, IT IS ORDERED as follows:

1. The plans and specifications for the proposed improvements, contained in the report, be, and they are hereby, preliminarily approved and confirmed.

2. The Engineer's estimate of the itemized and total costs and expenses of the improvements and of the incidental expenses in connection therewith, contained in the report, be, and each of them are hereby, preliminarily approved and confirmed.

3. The diagram showing the assessment district referred to and described in the Resolution of Intention and also the boundaries and dimensions of the respective subdivisions of land within the assessment district as the same existed at the time of the passage of the Resolution of Intention, each of which subdivisions has been given a separate number upon the diagram, as contained in the report, be, and it is hereby, preliminarily approved and confirmed.

4. The proposed assessments upon the several subdivisions of land in the assessment district in proportion to the estimated benefits to be received by such subdivisions, respectively, from the improvements and of the incidental expenses thereof, as contained in the report, be, and they are hereby, preliminarily approved and confirmed.

5. The maps and descriptions of the improvements to be made, as contained in the report, be, and the same are hereby, preliminarily approved.

6. The report shall stand as the Engineer's report for the purpose of all subsequent proceedings had pursuant to the Resolution of Intention.

DATED: February 21, 1996

I, JENNIFER M. PERRIN, City Clerk of the City of Lodi, do hereby certify that Resolution No. 96- 15 was passed and adopted at a regular meeting of the City Council of the City of Lodi, held February 21, 1996, by the following vote:

AYES: Councilmembers - Mann, Pennino, Sieglock and Warner (Mayor)

NOES: Councilmembers - Davenport

ABSENT: Councilmembers - None

ABSTENTIONS: Councilmembers - None

  
JENNIFER M. PERRIN, City Clerk

96-15

RESOLUTION NO. 96- 16

**BEFORE THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA**

**A RESOLUTION APPOINTING TIME AND PLACE OF PUBLIC MEETING  
AND PUBLIC HEARING IN RELATION TO PROPOSED IMPROVEMENTS  
AND ASSESSMENTS, AND DIRECTING NOTICE**

**LODI CENTRAL CITY REVITALIZATION ASSESSMENT DISTRICT NO. 95-1**

RESOLVED, by the City Council of the City of Lodi, California, that

Pursuant to the provisions of The Municipal Improvement Act of 1913 (Division 12 of the Streets & Highways Code) (the "Act"), this Council adopted on September 20, 1995 its Resolution No. 95-123, a Resolution of Intention to Acquire and/or Construct Improvements in the above assessment district and to Refund Prior Bonds Issued, and the Engineer of Work appointed by the Council has filed with the City Clerk the written report called for under the Act and the Resolution of Intention, which report has been preliminarily approved and confirmed by this Council.

NOW, THEREFORE, IT IS ORDERED as follows:

1. Wednesday, March 6, 1996, at the hour of 7:00 P.M. in the regular meeting place of the Council, Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, be, and the same are hereby appointed and fixed as the time and place of the Public Meeting when and where the Council will hear all public testimony regarding the improvements and the assessment; provided that the Council may change such time to a later time as it shall determine.

2. Wednesday, April 10, 1996, at the hour of 7:00 P.M. in the regular meeting place of the Council, Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, be, and the same are hereby appointed and fixed as the time and place when and where the Council will consider and finally determine whether the public interest and convenience require the proposed improvements and when and where it will consider and finally act upon the Engineer's report, the Resolution of Intention and the assessment; provided that the Council may change such time to a later time as it shall determine.

3. The City Clerk be, and she is hereby directed to mail or cause to be mailed, postage prepaid, at least forty-five (45) days before the public hearing date, to all persons owning real property proposed to be assessed whose names and addresses appear on the last equalized county assessment roll for City taxes, or the State Board of Equalization assessment roll, as the case may be, or who are known to the City Clerk, a joint notice of the public meeting and the public hearing, which notice shall contain:

(a) The estimated amount of the assessment per parcel; (b) A general description of the improvements that the proposed assessment will fund; (c) The address to which property owners may mail a protest against the extent of the district, the improvements, or the assessment; (d) The Department of Public Works, 221 West Pine Street, Lodi, California 95241, Richard Prima, Telephone (209) 333-6706, are the local department and person designated by this Council that interested persons may contact to receive additional information about the assessment and protest proceedings; (e) A statement that a majority protest shall cause the proposed assessment to be abandoned for a period of one year unless overruled by a four-fifths vote of the Council; and (f) The dates, times, and locations of the public meeting and public protest hearing fixed by this resolution.

4. The City Clerk shall endorse on each protest the date of its receipt, and at the time appointed for the hearing, the City Clerk shall present to the City Council all protests filed with her.

DATED: February 21, 1996

I, JENNIFER M. PERRIN, City Clerk of the City of Lodi, do hereby certify that Resolution No. 96- 16 was passed and adopted at a regular meeting of the City Council of the City of Lodi, held February 21, 1996, by the following vote:

AYES: Councilmembers - Mann, Pennino, Sieglock and Warner (Mayor)

NOES: Councilmembers - Davenport

ABSENT: Councilmembers - None

ABSTENTIONS: Councilmembers - None

  
JENNIFER M. PERRIN, City Clerk

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**MARIAN R. FREEMAN**  
3424 Michigan Avenue  
Stockton, CA 95204-3832  
Telephone (209) 948-3188  
FAX (209) 466-8633

**TELECOPY TRANSMITTAL SHEET**  
(for Timothy J. Hachman)

**RECEIVED**

FEB 13 1996



**CITY OF LODI**  
PUBLIC WORKS DEPARTMENT

02/13/96

TO: RICHARD PRIMA, JR., DEPT. OF PUBLIC WORKS, FAX: 333-6842  
MIKE CONRAD, KJELDSSEN SINNOCK & ASSOC., FAX 946-0296

RE: LODI CENTRAL CITY REVITALIZATION ASSESSMENT DISTRICT

Herewith are Resolutions for the February 21, 1996 Council meeting and the latest draft of the Notice to property owners. The top of the form of the Notice will be somewhat revised by the Engineer to accommodate the software used for inserting the names and addresses of the property owners and the appropriate property information.

The original Resolutions will be delivered with the Engineer's Report.

Page 1 of 7 pages

## RESOLUTION NO. 96-\_\_\_\_\_

## BEFORE THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA

A RESOLUTION OF PRELIMINARY APPROVAL OF  
ENGINEER'S REPORT

## LODI CENTRAL CITY REVITALIZATION ASSESSMENT DISTRICT NO. 95-1

RESOLVED, by the City Council of the City of Lodi, California, that

1. Pursuant to the directions contained in the Resolution of Intention to Acquire and/or Construct Improvements in the above assessment district and to Refund Prior Bonds Issued adopted by this Council, the Engineer of Work has made and filed with the City Clerk a report in writing in accordance with Sections 2961 and 10204 of the California Streets and Highways Code, which report has been presented to this Council for consideration.

2. This Council has duly considered the report and each and every part thereof, and finds that each and every part of the report is sufficient, and that neither the report, nor any part thereof, requires or should be modified in any respect;

NOW, THEREFORE, IT IS ORDERED as follows:

1. The plans and specifications for the proposed improvements, contained in the report, be, and they are hereby, preliminarily approved and confirmed.

2. The Engineer's estimate of the itemized and total costs and expenses of the improvements and of the incidental expenses in connection therewith, contained in the report, be, and each of them are hereby, preliminarily approved and confirmed.

3. The diagram showing the assessment district referred to and described in the Resolution of Intention and also the boundaries and dimensions of the respective subdivisions of land within the assessment district as the same existed at the time of the passage of the Resolution of Intention, each of which subdivisions has been given a separate number upon the diagram, as contained in the report, be, and it is hereby, preliminarily approved and confirmed.

4. The proposed assessments upon the several subdivisions of land in the assessment district in proportion to the estimated benefits to be received by such subdivisions, respectively, from the improvements and of the incidental expenses thereof, as contained in the report, be, and they are hereby, preliminarily approved and confirmed.

5. The maps and descriptions of the improvements to be made, as contained in the report, be, and the same are hereby, preliminarily approved.



6. The report shall stand as the Engineer's report for the purpose of all subsequent proceedings had pursuant to the Resolution of Intention.

DATED: February 21, 1996

I, JENNIFER M. PERRIN, City Clerk of the City of Lodi, do hereby certify that Resolution No. 96-\_\_\_\_ was passed and adopted at a regular meeting of the City Council of the City of Lodi, held February 21, 1996, by the following vote:

AYES: Councilmembers -

NOES: Councilmembers -

ABSENT: Councilmembers -

ABSTENTIONS: Councilmembers -

JENNIFER M. PERRIN, City Clerk

**RESOLUTION NO. 96-\_\_\_\_\_****BEFORE THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA****A RESOLUTION APPOINTING TIME AND PLACE OF PUBLIC MEETING  
AND PUBLIC HEARING IN RELATION TO PROPOSED IMPROVEMENTS  
AND ASSESSMENTS, AND DIRECTING NOTICE****LODI CENTRAL CITY REVITALIZATION ASSESSMENT DISTRICT NO. 95-1**

**RESOLVED**, by the City Council of the City of Lodi, California, that

Pursuant to the provisions of The Municipal Improvement Act of 1913 (Division 12 of the Streets & Highways Code) (the "Act"), this Council adopted on September 20, 1995 its Resolution No. 95-123, a Resolution of Intention to Acquire and/or Construct Improvements in the above assessment district and to Refund Prior Bonds Issued, and the Engineer of Work appointed by the Council has filed with the City Clerk the written report called for under the Act and the Resolution of Intention, which report has been preliminarily approved and confirmed by this Council.

**NOW, THEREFORE, IT IS ORDERED** as follows:

1. Wednesday, March 6, 1996, at the hour of 7:00 P.M. in the regular meeting place of the Council, Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, be, and the same are hereby appointed and fixed as the time and place of the Public Meeting when and where the Council will hear all public testimony regarding the improvements and the assessment; provided that the Council may change such time to a later time as it shall determine.

2. Wednesday, April 10, 1996, at the hour of 7:00 P.M. in the regular meeting place of the Council, Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, be, and the same are hereby appointed and fixed as the time and place when and where the Council will consider and finally determine whether the public interest and convenience require the proposed improvements and when and where it will consider and finally act upon the Engineer's report, the Resolution of Intention and the assessment; provided that the Council may change such time to a later time as it shall determine.

3. The City Clerk be, and she is hereby directed to mail or cause to be mailed, postage prepaid, at least forty-five (45) days before the public hearing date, to all persons owning real property proposed to be assessed whose names and addresses appear on the last equalized county assessment roll for City taxes, or the State Board of Equalization assessment roll, as the case may be, or who are known to the City Clerk, a joint notice of the public meeting and the public hearing, which notice shall contain:

(a) The estimated amount of the assessment per parcel; (b) A general description of the improvements that the proposed assessment will fund; (c) The address to which property owners may mail a protest against the extent of the district, the improvements, or the assessment; (d) The Department of Public Works, 221 West Pine Street, Lodi, California 95241, Richard Prima, Telephone (209) 333-6706, are the local department and person designated by this Council that interested persons may contact to receive additional information about the assessment and protest proceedings; (e) A statement that a majority protest shall cause the proposed assessment to be abandoned for a period of one year unless overruled by a four-fifths vote of the Council; and (f) The dates, times, and locations of the public meeting and public protest hearing fixed by this resolution.

4. The City Clerk shall endorse on each protest the date of its receipt, and at the time appointed for the hearing, the City Clerk shall present to the City Council all protests filed with her.

DATED: February 21, 1996

I, JENNIFER M. PERRIN, City Clerk of the City of Lodi, do hereby certify that Resolution No. 96-\_\_\_\_ was passed and adopted at a regular meeting of the City Council of the City of Lodi, held February 21, 1996, by the following vote:

AYES: Councilmembers -

NOES: Councilmembers -

ABSENT: Councilmembers -

ABSTENTIONS: Councilmembers -

\_\_\_\_\_  
JENNIFER M. PERRIN, City Clerk

*Publish (who & how often)*

**THIRD DRAFT 02/12/96**

**BEFORE THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA**

**NOTICE OF PUBLIC MEETING AND PUBLIC HEARING  
ON PROPOSED IMPROVEMENTS AND NEW ASSESSMENT**

**LODI CENTRAL CITY REVITALIZATION ASSESSMENT DISTRICT NO. 95-1**

Assessment No.:

Description:

Estimated Assessment:

Unpaid Prior Assessment  
included in above amount:

*Assessment*

*Unpaid Prior*

*Total*

The City Council of the City of Lodi has set the following **PUBLIC MEETING** and **PUBLIC HEARING** on the proposed improvements to be constructed for the revitalization of the Downtown Business Area and Civic Center, and the Cherokee Lane Business Area of the City.

**PUBLIC MEETING:**

WEDNESDAY, MARCH 6, 1996, at 7:00 P.M.  
CARNEGIE FORUM, 305 WEST PINE STREET  
LODI, CALIFORNIA

**PUBLIC HEARING:**

WEDNESDAY, APRIL 10, 1996, at 7:00 P.M.  
CARNEGIE FORUM, 305 WEST PINE STREET  
LODI, CALIFORNIA

At the Public Meeting the Council will hear all public testimony regarding the proposed new assessment. At the Public Hearing the Council will hear all testimony and/or protests in relation to its proposal, and will thereafter consider and finally determine: (a) whether the public interest and convenience require the improvements and assessments, (b) final action upon the Engineer's report and the assessment, and (c) whether the owners of a majority of the area of the property in the assessment district have protested against the proposed improvements, the extent of the assessment district, or to the proposed assessment.

Any interested person may object to the proposed improvements, the extent of the assessment district, or to the proposed assessment by filing a written protest with the City Clerk. The protest must contain a description of the property (the Assessor's Parcel Number is sufficient), show evidence of ownership if not on the last equalized assessment roll, and be signed by the property owner. Such protests must be received by the City Clerk at the address and at or before the above time of the **PUBLIC HEARING**.

The proposed improvements are generally described as follows:

**Project "A" Downtown Area** - The installation of new sidewalks and curb returns (bow cuts), street lighting, street trees, information kiosks, gateway structure and various pedestrian amenities, together with related electrical and irrigation facilities, along School Street from Lodi Avenue to Locust Street and on Pine and Oak Streets from Church Street to Sacramento Street.

**Project "B" Cherokee Lane Area** - The installation of a new street lighting system with new poles and fixtures at appropriate intervals, each side of the street, and a landscaped median with openings at appropriate locations, together with related electrical and irrigation facilities, along Cherokee Lane from Pioneer Drive to Century Boulevard.

The improvements shall also include the acquisition of all lands and easements necessary for such installation and the doing of any and all work auxiliary to any of the above and necessary to complete the same.

The total principal amount of unpaid assessments already levied against all property proposed to be assessed is the sum of \$125,000. The City proposes to call the outstanding bonds in that amount and to include the cost in this proceeding. The assessments for the cost of retiring these bonds will be charged on a prorata basis and assessed only to those parcels having unpaid assessments for the Prior Bonds.

The total estimated cost of the contemplated improvements and the retirement of the Prior Bonds, with the incidental expenses related to both, is the sum of \$6,267,218, of which the City of Lodi is contributing the estimated sum of \$3,135,033, leaving a balance of \$3,132,185 estimated to be assessed to the property owners.

*check* The estimated assessment of \$3,132,185 is charged according to benefit to each of the parcels of property within the proposed district, including your property; the share of the \$3,132,185 against your property is shown above opposite your name and address. Following the date of the Public Hearing a 30 day period will be allowed for payment of assessments at the option of the property owner.

Unpaid assessments will be financed by the issuance of bonds in the proceedings, with annual portions of the above assessment posted in installments to the property tax bills to pay off the bonds, and an additional maximum 2% of the installment to pay costs incurred by the City and not otherwise reimbursed which result from the administration and collection of assessments or from the administration or registration of the bonds and bond reserve or other related funds.

The Department of Public Works, 221 West Pine Street, Lodi, California 95241, Richard Prima, Telephone (209) 333-6706, are the local department and person designated by the City Council to answer inquiries regarding the assessment and protest proceedings.

A protest made by the owners of more than one-half of the area of the land to be assessed for the improvements will cause the proceedings and assessment to be abandoned for a period of one year from the date of the decision of the Council on the hearing, unless the protests are overruled by an affirmative vote of four-fifths of the members of the Council.

Reference is hereby made to the Engineer's Report, including preliminary plans and specifications, and to Resolution No. 95-123 adopted by the City Council on September 20, 1995, all on file in the office of the City Clerk, for a more particular description of the improvements and assessments, and for further particulars.

All proceedings before the City Council are conducted in English. The City of Lodi does not furnish interpreters and, if one is needed, it shall be the responsibility of the person needing one.

DATED: February 21, 1996.

JENNIFER M. PERRIN, City Clerk  
CITY OF LODI  
P. O. BOX 3006, LODI, CA 95241